

CC 92-77

**FEDERAL COMMUNICATIONS COMMISSION**  
WASHINGTON, D.C. 20554

DOCKET FILE COPY ORIGINAL

**AUG 29 1994**

IN REPLY REFER TO:

Stop Code 1600A2  
IC-94-13390  
9403794

Honorable Joe Barton  
Member, U.S. House of Representatives  
3509 Hulen, Suite 103  
Fort Worth, Texas 76107

Dear Congressman Barton:

Thank you for your August 1, 1994 letter on behalf of Mr. Tom Vandergriff, County Judge of Tarrant County. Judge Vandergriff is writing on behalf of the entire Tarrant County Commissioners Court regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. For example, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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Honorable Joe Barton

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Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities. We are including copies of your letter and enclosure in the file on this proceeding.

Sincerely,

*Robert W. Spangler*

Robert W. Spangler  
Deputy Chief (Policy)  
Enforcement Division  
Common Carrier Bureau

Enclosures

JOE BARTON  
6TH DISTRICT, TEXAS

1514 LONGWORTH BUILDING  
WASHINGTON, DC 20515-4306  
(202) 225-2002



CCB  
92-77

DEPUTY REPUBLICAN WHIP

COMMITTEE ON  
ENERGY AND COMMERCE

COMMITTEE ON  
SCIENCE, SPACE, AND TECHNOLOGY

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-4306**

3794

August 1, 1994

94013390

Ms. Lauren J. Belvin  
Acting Director  
Office of Legislative Affairs  
Federal Communication Commission  
1919 M Street N.W. Room 808  
Washington, D.C. 20554

Dear Ms. Belvin:

Enclosed is information from Tarrant County Judge Tom Vandergriff concerning the Commissioners Court of Tarrant County's opposition to implementation of Bill Party Preference.

I would appreciate any assistance and/or information you could provide in regard to this matter. Please direct correspondence to my Fort Worth district office, 3509 Hulen, Suite 103, Fort Worth, Texas 76107. My Casework Director, Christi Townsend, at 817-543-1000, will be happy to answer further questions pertaining to this inquiry.

Thank you for your interest and consideration.

Sincerely,

Joe Barton  
Member of Congress

JB:ct  
enclosure

ARLINGTON OFFICE:  
2019 EAST LAMAR BOULEVARD, SUITE 100  
ARLINGTON, TX 76006

ENNIS OFFICE:  
303 WEST KNOX, SUITE 101  
ENNIS, TX 75119-3942  
817-543-1000 (main number for all offices)

FORT WORTH OFFICE:  
3509 HULEN, SUITE 103  
FORT WORTH, TX 76107-6811



**COUNTY JUDGE  
of  
TARRANT COUNTY**

**TOM VANDERGRIFF**  
County Judge  
(817) 894-1441  
FAX (817) 894-2793

County Administration Building  
100 East Weatherford Street  
Fort Worth, Texas 76196-0101

**July 26, 1994**

**The Honorable Joe Barton  
U.S. House of Representatives  
3509 Hulen, #103  
Fort Worth, TX 76107**

**Re: Billed Party Preference; CC Docket No. 92-77**

**Dear Representative Barton:**

On behalf of the entire Tarrant County Commissioners Court, I am writing to express our unanimous opposition to the proposal to Implement Bill Party Preference and to request that the Federal Communications Commission defeat the measure.

The attached resolution clearly outlines the reasons why Tarrant County opposes this proposal. Meeting the telephone service needs of jail inmates is vastly different from addressing telephone service needs for the general public. As a result, it is imperative that inmate telephone service be exempt from BPP.

Sincerely,

  
Tom Vandergriff  
County Judge

Enclosure:  
Resolution



## TARRANT COUNTY

### RESOLUTION

#### **REQUESTING THE FEDERAL COMMUNICATIONS COMMISSION TO DEFEAT THE PROPOSAL TO IMPLEMENT BILLED PARTY PREFERENCE (BPP)**

**WHEREAS**, Texas counties are required by the Texas Jail Standards Commission to provide inmates access to legal counsel and/or family by phone, whether local or long distance; and

**WHEREAS**, the Commissioners Court is responsible for complying with these requirements; and

**WHEREAS**, the basic reason for Billed Party Preference (BPP) is to insure users of public communications open access to their long distance carrier of choice, and the by-pass regulations in place today already allow for the public's open access to carrier of choice; and

**WHEREAS**, by not allowing payphone owners and location clients the right to choose the primary long distance carrier on their equipment, the owner and/or location client loses the ability to negotiate fair commissions from their selected carrier; and

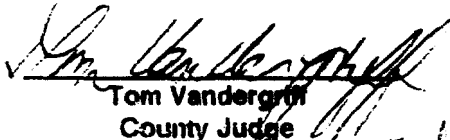
**WHEREAS**, the net result of this situation is that location owners and clients lose their rights to fair commissions on revenue generated from their properties; and

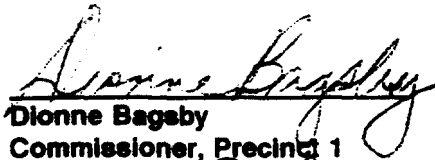
**WHEREAS**, meeting the telephone service needs of jail inmates is vastly different from general public communication users and, therefore, inmate telephone service should be exempt from BPP; and

**WHEREAS**, correctional institutions are allowed to 1) cut off any collect call to a location where third party or call conferencing is detected and 2) determine whether or not the institution will even allow the inmate to make calls;

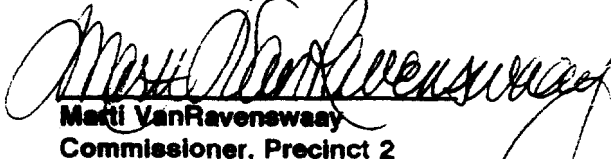
**NOW, THEREFORE, BE IT RESOLVED**, that we, the Commissioners Court of Tarrant County, do hereby strongly oppose the proposal to implement Bill Party Preference and request the Federal Communications Commission to defeat the proposal.

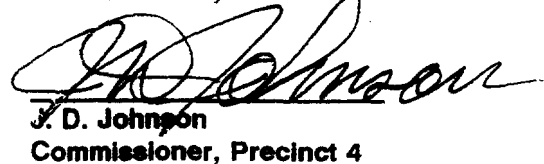
**IN WITNESS WHEREOF**, we have hereunto set our hands and caused the great seal of Tarrant County to be affixed this 26th day of July, A.D. 1994.

  
Tom Vandergriff  
County Judge

  
Dionne Bageby  
Commissioner, Precinct 1

  
Bob Hampton  
Commissioner, Precinct 2

  
Marti VanRavenswaay  
Commissioner, Precinct 2

  
J. D. Johnson  
Commissioner, Precinct 4